

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EDWARD A. FRIEDMAN,	:	
	:	INDEX NO. 07-CV-9620 (SHS)
Plaintiff,	:	
	:	AFFIDAVIT IN SUPPORT OF MOTION
-against-	:	TO WITHDRAW AS COUNSEL
	:	PURSUANT TO LOCAL CIVIL RULE
THE PRUDENTIAL INSURANCE	:	1.4
COMPANY OF AMERICA,	:	
	:	
Defendant.	:	
-----	X	

STATE OF PENNSYLVANIA)

COUNTY OF PHILADELPHIA) ss.

Seth Ptasiewicz, of full age, hereby swears under penalty of perjury as follows:

1. I am an associate with the law firm of Morgan, Lewis & Bockius, LLP, present counsel to Defendant Prudential Insurance Company of America ("Prudential") with reference to the above-captioned matter. I am admitted to practice before this Court.

2. I submit this Affidavit of support of Morgan, Lewis & Bockius, LLP's Motion pursuant to Local Civil Rule 1.4 to withdraw as counsel of record to Prudential in this litigation concerning the denial of plaintiff's claim for Long Term Disability Benefits under a group disability policy governed by the Employee Income Retirement Security Act, 29 U.S.C. §1001, *et seq*.

3. The request to withdraw as counsel of record to Prudential came as a result of Prudential advising this firm that it wishes to substitute as its counsel of record the law firm of D'Arcambal, Levine & Ousley, LLP as reflected in the Consent to Change Attorney Form and Notice of Appearance electronically filed on behalf of Prudential with this Court and appended

hereto as **Exhibit A and Exhibit B**, respectively.

4. No prejudice will arise as a result of this firm's withdraw as counsel of record. There are no pending deadlines in this case as the parties have filed and fully briefed cross-Motions for Summary Judgment. The law firm of D'Arcambal, Levine & Ousley, LLP has been apprised of the status of this litigation.

5. Accordingly, the law firm of Morgan, Lewis & Bockius, LLP and its attorneys of record in this case, Brian A. Herman, Esq., Jeremy P. Blumenfeld, Esq. and Seth Ptasiwicz, Esq., respectfully request that the Motion to Withdraw as Counsel be granted.



Seth Ptasiwicz

Sworn to before me this
16th day of July, 2008



Notary Public

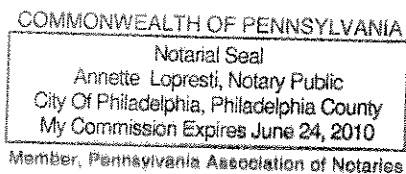


EXHIBIT A



NYSD_ECF_Pool@nysd.uscourts.gov
07/11/2008 04:33 PM

To: deadmail@nysd.uscourts.gov
cc:
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Subject: Activity in Case 1:07-cv-09620-SHS Friedman v. Prudential Insurance Company of America Notice of Substitution of Attorney

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U.S. District Court

United States District Court for the Southern District of New York

Notice of Electronic Filing

The following transaction was entered by Ousley, Jodie on 7/11/2008 at 4:33 PM EDT and filed on 7/11/2008

Case Name: Friedman v. Prudential Insurance Company of America
Case Number: 1:07-cv-9620
Filer: Prudential Insurance Company of America
Document Number: 34

Docket Text:

NOTICE of Substitution of Attorney. Old Attorney: Seth Ptasiewicz, New Attorney: Jodie L. Ousley, Address: d'Arcambal Levine & Ousley, LLP, 40 Fulton Street, Suite 1005, New York, NY, USA 10038, (212) 971-3175. Document filed by Prudential Insurance Company of America. (Ousley, Jodie)

1:07-cv-9620 Notice has been electronically mailed to:

Brian A. Herman bherman@morganlewis.com

Jeremy P. Blumenfeld jblumenfeld@morganlewis.com

Michael E. Quiat mquiat@uqur.com, kmeneses@uqur.com, lnixon@uqur.com

Seth Ptasiewicz sptasiewicz@morganlewis.com

1:07-cv-9620 Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1008691343 [Date=7/11/2008] [FileNumber=4796717-0]
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

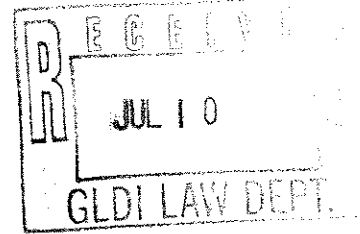
EDWARD A. FRIEDMAN,

Plaintiff,

-against-

THE PRUDENTIAL INSURANCE COMPANY OF
AMERICA,

Defendant.



Index No.: 07-cv-9620

**CONSENT TO CHANGE
ATTORNEY**

IT IS HEREBY CONSENTED that d'Arcambal Levine & Ousley, LLP, of 40 Fulton Street, Suite 1005, New York, NY 10038, be substituted as attorneys of record for the undersigned party in the above-entitled action in place and stead of the undersigned attorneys as of the date hereto.

Dated: July 10, 2008

THE PRUDENTIAL INSURANCE COMPANY
OF AMERICA

By: 

Leonard A. Giusti

Director and Corporate Counsel

July 11, 2008

D'ARCAMBAL, LEVINE & OUSLEY, LLP

By: 

Jodie L. Ousley

Incoming Attorneys

July 9, 2008

MORGAN, LEWIS & BOCKIUS, LLP

By: 

Seth Ptasiwicz

Outgoing Attorneys

EXHIBIT B



NYSD_ECF_Pool@nysd.uscourts.gov

07/15/2008 01:19 PM

To deadmail@nysd.uscourts.gov

cc

bcc

Subject Activity in Case 1:07-cv-09620-SHS Friedman v. Prudential Insurance Company of America Notice of Appearance

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U.S. District Court

United States District Court for the Southern District of New York

Notice of Electronic Filing

The following transaction was entered by Ousley, Jodie on 7/15/2008 at 1:19 PM EDT and filed on 7/15/2008

Case Name: Friedman v. Prudential Insurance Company of America

Case Number: 1:07-cv-9620

Filer: Prudential Insurance Company of America

Document Number: 35

Docket Text:

NOTICE OF APPEARANCE by Jodie Leigh Ousley on behalf of Prudential Insurance Company of America (Ousley, Jodie)

1:07-cv-9620 Notice has been electronically mailed to:

Brian A. Herman bherman@morganlewis.com

Jeremy P. Blumenfeld jblumenfeld@morganlewis.com

Jodie Leigh Ousley jousley@darcambal.com

Michael E. Quiat mquiata@uqr.com, kmeneses@uqr.com, lnixon@uqr.com

Seth Ptasiwicz sptasiwicz@morganlewis.com

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AO 458 (Rev. 10/95) Appearance

UNITED STATES DISTRICT COURT

Southern

DISTRICT OF

New York

APPEARANCE

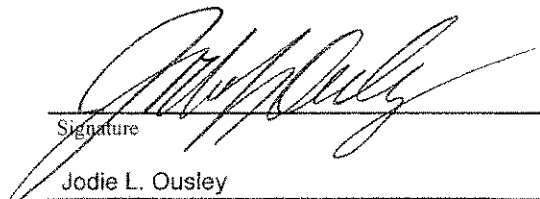
Edward A. Friedman v. The Prudential Insurance Co. of America Case Number: 07-cv-9620

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for
The Prudential Insurance Company of America

I certify that I am admitted to practice in this court.

7/15/2008
Date


Signature
Jodie L. Ousley JO5121
Print Name Bar Number
40 Fulton Street, Suite 1005
Address
New York NY 10038
City State Zip Code
(212) 971-3175 (212) 971-3176
Phone Number Fax Number